

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUSTIN BOWLES,

Defendant.

8:17CR294

**PRELIMINARY ORDER OF  
FORFEITURE**

This matter is before the Court on the government's Motion for Preliminary Order of Forfeiture (Filing No. 23). The Court has carefully reviewed the record in this case and finds as follows:

1. The defendant Justin Bowles ("Bowles") has entered into a Plea Agreement (Filing No. 22), under which he has pled guilty to Count I and admitted the Forfeiture Allegation of the Indictment. Count I of the Indictment charged Bowles with conspiracy to distribute and possession with intent to distribute 50 grams or more of methamphetamine (actual), in violation of 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1). The Forfeiture Allegation in the Indictment sought the forfeiture, pursuant to 21 U.S.C. § 853, of a 2013 Nissan Altima on the basis it was used or was intended to be used to facilitate the commission of the conspiracy and/or was derived from proceeds obtained directly or indirectly as a result of the commission of the conspiracy charged in Count I.

2. By virtue of his plea and admission, Bowles forfeits his interest in the 2013 Nissan Altima, and the government should be entitled to possession of said property, pursuant to 21 U.S.C. § 853.

3. The government's Motion for Preliminary Order of Forfeiture should be granted.


IT IS ORDERED:

1. The government's Motion for Preliminary Order of Forfeiture is hereby granted.
2. Based upon the Forfeiture Allegation of the Indictment and Bowles's guilty plea and admission, the government is hereby authorized to seize the 2013 Nissan Altima.
3. Bowles's interest in the 2013 Nissan Altima is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).
4. The 2013 Nissan Altima is to be held by the government in its secure custody and control.
5. Pursuant to 21 U.S.C. § 853(n)(1), the government forthwith shall publish for at least thirty consecutive days on an official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, notice of publication evidencing the government's intent to dispose of the property in such manner as the Attorney General may direct, and notice that any person, other than Bowles, having or claiming a legal interest in any of the subject property must file a Petition with the court within thirty-days of the final publication of notice or of receipt of actual notice, whichever is earlier.
6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the 2013 Nissan Altima, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title or interest in the 2013 Nissan Altima and any additional facts supporting the Petitioner's claim and the relief sought.

7. The government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the 2013 Nissan Altima to this Order as a substitute for published notice as to those persons so notified.
8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 29th day of December, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Robert F. Rossiter, Jr.', written over a horizontal line.

Robert F. Rossiter, Jr.  
United States District Judge